

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "Method For Identifying Modulators Of Human Orexin-2 Receptor", the specification of which:

- is attached.
- was filed as U.S. Patent Application No. , on , as amended on (if applicable).
- was filed as PCT International Application Number PCT/US2003/039491, on December 11, 2003, designating the United States, as amended under PCT Article 19 on and/or PCT Article 34 on (if applicable).

I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim the benefit under 35 U.S.C. § 119(e) of U.S. Provisional Application No. 60/433,411, filed December 13, 2002.

I hereby appoint all the practitioners associated with Customer Number 23377 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Each practitioner associated with Customer Number 23377 is an attorney or agent registered before the United States Patent and Trademark Office. I further appoint Linda S. Evans (Reg. No. 33,873) and all registered practitioners associated with Customer Number 27777 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor # 1

1 - ∞ Steven
(Given Name)

W.
(Middle Initial or Name)

Sutton
(Family or last name)

City/State of Actual Residence: Carlsbad, California CA

Mailing Address:
(include street address, city, state,
and zip code) 6046 Paseo Alameda
Carlsbad, California 92009

Country of Citizenship: United States of America

Inventor's signature: 

Date: 5/17/05

Full Name of Inventor # 2

2 - ∞ Timothy
(Given Name)

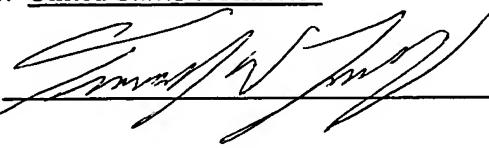
W.
(Middle Initial or Name)

Lovenberg
(Family or last name)

City/State of Actual Residence: San Diego, California

Mailing Address:
(include street address, city, state,
and zip code) 13252 Courtland Terrace
San Diego, California 92130 CA

Country of Citizenship: United States of America

Inventor's signature: 

Date: 5/17/05